

# EXHIBIT 1



U.S. Department of Justice

Civil Rights Division

97-12

IKP:JBG:SP:emr  
DJ 166-012-3  
97-1516

Voting Section  
P.O. Box 66128  
Washington, D.C. 20035-6128

July 29, 1997

Dennis R. Dunn, Esq.  
Senior Assistant Attorney General  
40 Capitol Square, S.W.  
Atlanta, Georgia 30334-1300

Dear Mr. Dunn:

This refers to the submission to the Attorney General pursuant to Section 5 of the Voting Rights Act, 42 U.S.C. 1973c, of Act No. 257 (1997), of the State of Georgia, which provides for the following changes:

1. Procedures for voter registration list maintenance, including revised procedures for the placement of registrants on an inactive registration list and the removal of names from the list of eligible registered voters, adopted, inter alia, to implement the National Voter Registration Act of 1993 ("NVRA"), 42 U.S.C. 1973gg to 1973gg-10;
2. Revised absentee ballot application procedures for certain voters (elderly persons and persons with disabilities) and authorization for the Secretary of State to promulgate rules and regulations to administer the revised procedures (for municipal elections also);
3. Revised requirements for poll workers, including a new minimum age requirement of 16 and omission of the registered voter requirement (for municipal elections also); and
4. Revised absentee ballot format and absentee ballot oath to include reference to penalties for vote buying (for municipal elections also).

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We received your submission on May 30, 1997; supplemental information was received on July 2, 1997.

The Attorney General does not interpose any objection to the specified changes. However, we note that Section 5 expressly provides that the failure of the Attorney General to object does not bar subsequent litigation to enjoin the enforcement of the changes. See the Procedures for the Administration of Section 5 (28 C.F.R. 51.41). In this regard, the granting of Section 5 preclearance does not preclude the Attorney General or private individuals from filing a civil action pursuant to Section 11 of the NVRA, 42 U.S.C. 1973gg-9.

Act No. 257 (1997) includes provisions that are enabling in nature. Therefore, any changes affecting voting that are adopted pursuant to this legislation will be subject to Section 5 review (e.g., rules and regulations adopted by the Secretary of State concerning absentee ballot application procedures). See 28 C.F.R. 51.15.

Finally, we understand that the state is considering adopting a form that will be used at the polls for voters on the inactive list to affirm their current address. When finally adopted, the form must be submitted for review under Section 5.

Sincerely,

Isabelle Katz Pinzler  
Acting Assistant Attorney General  
Civil Rights Division

By:

A handwritten signature in dark ink, appearing to read "Elizabeth Johnson", followed by a horizontal line.

Elizabeth Johnson  
Chief, Voting Section